

REMARKS

Applicant has carefully considered the matters raised by the Examiner in the outstanding Office Action but remain of the opinion that patentable subject matter is present. Applicant respectfully requests reconsideration of the Examiner's position based on the above amendments to the claims and the following remarks.

Currently, claims 1, 2, 4, 8, 10 and 12 are cancelled. In this Office Action, claim 4 has been cancelled. Claims 3, 5-7, 9, 11, and 13-20 are pending. Claim 15 has been amended herein.

Claim 4 was cancelled and claim 15 amended to delete face mask from the nasal interface. Claim 15 was further amended to recite that the conduit is a single conduit. Support for this amendment to claim 15 can be found in Figs. 8, 8A, 8B, 9, 12 and 13 wherein a single conduit is shown leading from the scent generator to the nasal interface. Respectfully, no new matter has been entered.

Claims 3-7, 9, 11, 13 and 14 had been indicated as allowable while claims 15-20 had been rejected.

Specifically, claims 15-20 had been rejected as being unpatentable over a combination of Martin and Blasdel while claim 15 had been rejected as being unpatentable over Knight.

Turning first to the combination of Martin and Blasdell, applicant specifically amended his claims herein so as not to read on the combination of Martin and Blasdell. Specifically, claim 15 has been amended herein to recite that a single conduit is employed and has amended his nasal interface definition to delete a face mask. In contrast, Blasdell teaches a face mask, a mask that covers both the nose and mouth, and Martin teaches a plurality of scent tubes that run from the scent generator to the nasal interface. Thus, applicant submits that his claims as amended herein define over the combination of Blasdell and Martin.

More specifically, the reference to the nasal interface being a face mask has been deleted by amending sub-paragraph (b) of claim 15 and cancelling claim 4. The use of a face mask as shown in Blasdell would not work because the user would only receive scented air and would not get enough oxygen in order to be able to breath properly. Thus, the face mask of Blasdell will not work in the present invention because the user does not receive enough oxygen. As taught in Blasdell, conduits 23 only allow for input of air while valve 24 is an exhaust valve. Thus, the only air delivered to the user in Blasdell's arrangement is through conduits 23. In contrast, the present invention covers no more than the nose and delivers scented air only to the nose and does not prevent the user from breathing fresh air through the mouth. Respectfully, the

amendment made to claim 15 by cancelling face mask as a nasal interface defines over Blasdell.

With respect to Martin, Martin teaches a plurality of gas lines 40, see column 3, line 25, which feed scented air through individual packed beds to the nose area of the user. In contrast, the present invention employs a single conduit from the scent generator to the nose in order to provide scented air to the user. Thus, claim 15 as presented herein defines over Martin because Martin does not teach nor suggest combining all of his scent delivery tubes into one tube.

The difference between the number of tubes in Martin and the present invention is not one of degree but, rather, is one that makes the present invention portable and Martin not portable. In claim 15, applicant recites in sub-paragraph (a) that a case is employed which makes the overall device portable. Martin does not teach that his device can be portable nor is Martin's device adapted to be portable because the arrangement that Martin has for scent delivery would require an enormous air compressor. Martin teaches using individual tubes to deliver scent wherein each of the individual tubes are capillary tubes, see column 2, line 19. Air is moved through packed beds to pick up scent and then the scented air is moved through the capillary tubes to the user's facial area.

The packed beds are taught at column 5, line 55 over to column 6, line 5. It is very hard to move air through packed beds as well as through capillary tubes unless one uses a device able to apply a great deal of pressure to the air to force it through a packed bed and through capillary tubes. It should be noted that the only teaching in Martin is that he uses a gas service line 48 to provide pressurized air to his packed beds. In contrast, the present invention is known to be portable as to use a larger single conduit and a small fan to move air through the system. Thus, if one were to take the system of Martin and put a small fan to move air through it, Martin would not work because the packed beds used to provide scent to the air and the small capillary tubes which provide the scented air from the packed beds to the user's nose would require a very large source of compressed air.

Thus, it is submitted that the combination of Martin with Blasdell would not result in the present invention because (1) the face mask of Blasdell would cause the user to become sick because the user would not be able to take in enough fresh air; (2) Martin uses a plurality of capillary tubes to provide scented air from its packed bed to the user's nasal area; (3) because of Martin's arrangement of pushing air through a packed bed and then through a capillary tube would not result in a portable system because the air compressor which needs to be employed in order to move air

through a packed bed and a capillary tube is very large.

Applicant has specifically amended claim 15 to exclude a face mask in the nasal interface and has amended claim 15 to recite a single conduit. Respectfully, these amendments clearly define over the teachings of Martin and Blasdell taken alone or in combination.

Turning now to Knight, the Examiner has taken the position that it would be obvious to modify Knight to make a scent generator, shown in Knight as a coffee cup, and an air pump 102 and put these two items into a case which then can be worn by the user to make the overall device as shown in Fig. 4 portable. The Examiner has put forward no reason why all three of these modifications would be obvious to one of skill in the art. In fact, the teachings of Knight with respect to Figs. 1 and 4 specifically make it clear that the coffee cup 14 or 120 are not part of the overall system. In fact, what Knight is teaching is a device which allows the user to smell already existing scents which are generated from items such as food or drink. Knight is in no way teaching or suggesting that coffee cup 14/120 is part of the system and, respectfully, no one of skill in the art would build a case which could be worn by the user and house a coffee cup and an air pump so as to extract fumes from a coffee cup and pump them to the nose of a user. It is respectfully submitted that such

modification is neither taught nor suggested. Furthermore, the Examiner has put forward no reason to make such modification. To merely state that one could make Knight's device portable, begs the question on how to make the various modifications to Knight's system in order to make it portable or, for that matter, the reason why one of skill in the art would want to make it portable.

Respectfully, applicant's claimed invention is patentable over Martin, Blasdell and Knight taken alone or in combination.

Finally, it was noted that the drawings that were filed with the case were informals and enclosed herewith are formal drawings.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance and reconsideration and allowance are respectfully requested. Should any fees or extensions of time be necessary in order to maintain this application in pending condition, appropriate requests are hereby made and authorization given to debit account #02-2275.


Respectfully submitted,

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